

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

Re: ECF No. 23702

(Jointly Administered)

**URGENT CONSENSUAL MOTION
FOR EXTENSION OF RESPONSE DEADLINES**

To the Honorable United States District Court Judge Laura Taylor Swain:

The Commonwealth of Puerto Rico (the “Commonwealth” or the “Debtor”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Commonwealth pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² respectfully submits this urgent consensual motion (the “Urgent Motion”) for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the briefing deadlines

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Last Four Digits of Federal Tax ID: 3801) (Last Four Digits of Federal Tax ID: 3801) (Bankruptcy Case No. 19-BK-5523-LTS). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² PROMESA is codified at 48 U.S.C. §§ 2101–2241.

established in the *Order Scheduling Briefing Concerning Discharge and Requesting Relief from Stay* [ECF No. 23702] (the “Scheduling Order”) relating to the *Motion to Set Aside Discharge and Requesting Relief from of Stay* [ECF No. 23700] (the “Motion”), and states as follows:

Request for Relief

1. On March 7, 2023, Maria De Los Angeles Ortiz-Soto and Nilda Melendez-Santana (collectively, the “Movants”) filed the Motion, requesting relief from the Debtor’s discharge injunction, as described further in the Motion.

2. Pursuant to the Scheduling Order, responses to the Motion must be filed by April 4, 2023, at 5:00 p.m. (Atlantic Standard Time), and replies must be filed by April 11, 2023, at 5:00 p.m. (Atlantic Standard Time). Scheduling Order at 1.

3. Since the filing of the Motion, the Debtor and the Movants reached an agreement in principle to consensually resolve the Motion. However, the parties require additional time to document and finalize such agreement in principle.

4. Accordingly, and with the consent of the Movants, the Oversight Board proposes the following extensions to the dates set forth in the Scheduling Order:

- The deadline to respond to the Motion be extended to **April 18, 2023 at 5:00 p.m. (Atlantic Standard Time)**.
- The deadline for Movants to file a reply, if any, be extended to **April 25, 2023 at 5:00 p.m. (Atlantic Standard Time)**.

5. Pursuant to Paragraph 1.H of the *Sixteenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 20190-1] (the “Case Management Procedures”), the Oversight Board certifies that it has carefully examined the matter and concluded that there is a true need for an urgent motion; it has not created the urgency through any lack of due diligence;

has made a bona fide effort to resolve the issues presented in the Urgent Motion; and has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court.

Notice

6. The Oversight Board has provided notice of this motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the indenture trustees and/or agents, as applicable, for the Debtors' bonds; (c) the entities on the list of creditors holding the 20 largest unsecured claims against the Debtors; (d) counsel to the statutory committees appointed in these Title III cases; (e) the Office of the United States Attorney for the District of Puerto Rico; (f) counsel to the Oversight Board; (g) the Puerto Rico Department of Justice; (h) the Other Interested Parties;³ (i) the Applicable Movants; and (j) all parties filing a notice of appearance in these Title III cases. A copy of the motion is also available at <https://cases.ra.kroll.com/puertorico/>.

7. The Oversight Board submits that, in light of the nature of the relief requested, no other or further notice need be given.

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³ The "Other Interested Parties" include the following: (i) counsel to certain of the insurers and trustees of the bonds issued or guaranteed by the Debtors; and (ii) counsel to certain ad hoc groups of holders of bonds issued or guaranteed by the Debtors.

WHEREFORE the Debtors request the Court enter the Proposed Order and grant such other relief as is just and proper.

Dated: April 4, 2023
San Juan, Puerto Rico

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*Attorneys for the Financial Oversight and
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Exhibit A

Proposed Order

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

Re: ECF No. _____

(Jointly Administered)

**ORDER GRANTING
URGENT CONSENSUAL MOTION FOR EXTENSION OF RESPONSE DEADLINES**

Upon the *Urgent Consensual Motion for Extension of Response Deadlines*, dated April 4, 2023 (Docket Entry No. _____)² (the “Extension Motion”);³ and the Court having found it has subject-matter jurisdiction over this matter pursuant to section 306(a) of PROMESA; and it appearing that venue in this district is proper pursuant to section 307(a) of PROMESA; the Court

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² All docket entry references are to entries in Case No. 17-3283, unless otherwise specified.

³ Capitalized terms used but not otherwise defined herein have the meanings given to them in the Extension Motion.

having found that the Oversight Board provided adequate and appropriate notice of the Extension Motion under the circumstances and that no other or further notice is required; and the Court having reviewed the Extension Motion; and the Court having determined that the factual bases set forth in the Extension Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby ORDERED that:

1. The Extension Motion is GRANTED as set forth herein.
2. The Scheduling Order shall be modified as provided herein.
3. The deadline to respond to the Motion shall be extended to **April 18, 2023 at 5:00 p.m. (Atlantic Standard Time).**
4. The deadline for the Movants to file a reply shall be extended to **April 25, 2023 at 5:00 p.m. (Atlantic Standard Time).**
5. The Court will thereafter take the Motion on submission.
6. This Order resolves Docket Entry No. _____ in Case No. 17-3283.

SO ORDERED.

Dated: April ___, 2023

LAURA TAYLOR SWAIN
United States District Judge